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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,023	04/19/2004	Bruce Blazar	22253-76278	2495

27730 7590 09/19/2007  
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PHILADELPHIA, PA 19103

EXAMINER
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MITCHELL, LAURA MCGILLEM

ART UNIT	PAPER NUMBER
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1636

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09/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10827023	4/19/2004	BLAZAR ET AL.	22253-76278

DRINKER BIDDLE & REATH, LLP  
ONE LOGAN SQUARE  
18<sup>TH</sup> AND CHERRY STREETS  
PHILADELPHIA, PA 19103

EXAMINER

Laura M. Mitchell

ART UNIT	PAPER
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1636

20070906

DATE MAILED:

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**Commissioner for Patents**

Enclosed is a summary of a telephonic interview which took place on 9/6/2007.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura M. Mitchell whose telephone number is (571) 272-8783. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Woitach can be reached on (571) 272-0739. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Laura M. Mitchell, PhD  
Examiner  
9/6/2007

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The discussion included rejections under 35 USC 112, 2nd paragraph (indefiniteness), 35 USC 102(a) and 35 USC 103 (a). A pertinent 35 USC 112 issue in the claims is the phrase "lower titer". Applicants will consider introducing more specific language regarding the titer of CD25 magnetic microbeads according to supportive disclosure in the specification regarding amounts (paragraphs 0088 and 0185, Example 8). The discussion also centered on how to distinguish the claimed method, which produces cells that are more potent suppressor cells, from the methods of the prior art references. Applicants submit that unlike the claimed method, the methods of the prior art references do not produce cells with a CD62L marker. Applicants will consider including a limitation regarding the CD62L marker into the claims.

Laura M. Mitchell, PhD  
Examiner  
9/6/2007

CELINE QIAN, PH.D.  
PRIMARY EXAMINER

